

EXHIBIT 11

Fregeau, Estevan@CDCR

To: Lee, Elizabeth@Waterboards; Bettencourt, Miles@CDCR; Orta, Anthony@CDCR;
Hudgens, Christofer@CDCR
Subject: notification of release

As per the 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board

We have discharged MCSP5 and MCSP6 locations during March 9^h through 11th storm event, Samples have been taken.



MCSP 1 3.10.21



MCSP4 3.10.21



Mcsp5 3.10.21



Mcsp6 3.10.21

Estevan Fregeau
Chief Engineer
Mule Creek State Prison
209-274-4911 EX6730

EXHIBIT 12

Fregeau, Estevan@CDCR

To: Lee, Elizabeth@Waterboards; Hudgens, Christofer@CDCR
Cc: Bettencourt, Miles (Terry)@CDCR; Stark, Anthony J.@CDCR; Orta, Anthony@CDCR
Subject: MCSP Discharge Notification

As per the 13383 order Mule Creek State Prison is to make notification of discharging Stormwater into Mule Creek to the Central Valley Water Board

Flow was present at MCSP1, MCSP4, MCSP5, and MCSP6 locations during March 18TH through 19TH storm event, Samples have been taken.



MCSP1 3/19/21



MCSP4 3/19/21



MCSP5 3/19/21



MCSP6 3/19/21

Estevan Fregeau
Chief Engineer
Mule Creek State Prison

EXHIBIT 13

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Monday, October 25, 2021 2:06 PM
To: Lee, Elizabeth@Waterboards
Cc: Orta, Anthony@CDCR; Bettencourt, Miles@CDCR; Larabee, Gregor@CDCR
Subject: MCSP discharge Notification

As per the December 22, 2020 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board

We have discharged and samples taken from MCSP4, MCSP5 and MCSP6 locations on October 22, 2021.



10-22-21 MCSP 1



10-22-21 MCSP 4



10-22-MCSP 5



10-22-21 MCSP 6

EXHIBIT 14

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Wednesday, November 10, 2021 1:54 PM
To: Lee, Elizabeth@Waterboards
Cc: Bettencourt, Miles@CDCR; Larabee, Gregor@CDCR; Orta, Anthony@CDCR
Subject: MCSP discharge Notification

As per the December 22, 2020 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board

We have discharged and samples taken from MCSP 1, MCSP4, MCSP5 and MCSP6 locations on November 9, 2021



MCSP 1 11-9-21



MCSP 4 11-9-21



MCSP 5 11-9-21



MCSP 6 11-9-21

Estevan “Esto” Fregeau

Correctional Plant Supervisor

Mule Creek State Prison

209-274-4911 EX6773

Cell-(209)-790-9498

EXHIBIT 15

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Friday, December 10, 2021 8:27 AM
To: RB5S-CentralValleySacramento@waterboards.ca.gov; Lee, Elizabeth@Waterboards
Cc: Stark, Anthony@CDCR; Wilson, Anthony@CDCR; Orta, Anthony@CDCR; Larabee, Gregor@CDCR; Bettencourt, Miles@CDCR; Perri, Laurie@CDCR
Subject: MCSP Discharge Notification

As per the November 29, 2021 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board.

MCSP has discharged and samples taken from MCSP 1, MCSP4, MCSP5 and MCSP6 locations on December 9, 2021



12-9-21 MCSP 1



12-9-21 MCSP 4



12-9-21 MCSP 5



12-9-21 MCSP 6

EXHIBIT 16

DIVISION OF ADULT INSTITUTIONS**MULE CREEK STATE PRISON**

4001 Highway 104
P.O. Box 409099
Ione, CA, 95640



March 16, 2022

State of California
Water Resources Control Board
Central Valley Regional Water Quality Control Board
Sacramento Office
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Attn: Elizabeth Lee
Senior Water Resources Control Engineer

Title and Date of Report	March 15, 2022 Mule Creek Discharge Notification
Contact	Elizabeth Lee (916) 464-4786
Regulatory Program	Municipal Storm Water
Regulated Party Name (Discharger)	CA Dept of Corrections & Rehabilitation
Facility Name	CDCR - Mule Creek State Prison
County	Amador

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.


Estevan Fregeau
Correctional Plant Supervisor
Mule Creek State Prison

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Wednesday, March 16, 2022 1:51 PM
To: WB-RB5S-CentralValleySacramento; Lee, Elizabeth@Waterboards
Cc: Orta, Anthony@CDCR; Stark, Anthony@CDCR; Wilson, Anthony@CDCR
Subject: MCSP Discharge Notification

As per the November 29, 2021 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board.

MCSP has discharged and samples taken from MCSP 1, MCSP4, MCSP5, MCSP6 and MCIC1 locations on March 15, 2022



MCSP 1



MCSP 4



mcsP 5



MCSP 6



MCIC 1

EXHIBIT 17

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Monday, March 28, 2022 2:35 PM
To: WB-RB55-CentralValleySacramento; Lee, Elizabeth@Waterboards
Cc: Larabee, Gregor@CDCR; Perri, Laurie@CDCR; Orta, Anthony@CDCR; Stark, Anthony@CDCR; Wilson, Anthony@CDCR
Subject: MCSP Discharge Notification
Attachments: 3.28.22 MCSP Discharge Notification.pdf

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

EDMUND G. BROWN JR., GOVERNOR

DIVISION OF ADULT INSTITUTIONS**MULE CREEK STATE PRISON**

4001 Highway 104
 P.O. Box 405099
 Lodi, CA 95643




March 28, 2022

State of California
 Water Resources Control Board
 Central Valley Regional Water Quality Control Board
 Sacramento Office
 11020 Sun Center Drive, #200
 Rancho Cordova, CA 95670-6114

Attn: Elizabeth Lee
 Senior Water Resources Control Engineer

Title and Date of Report	March 28, 2022 Mule Creek Discharge Notification
Contact	Elizabeth Lee (913) 464-4786
Regulatory Program	Municipal Storm Water
Regulated Party Name (Discharger)	CA Dept of Corrections & Rehabilitation
Facility Name	CDCR - Mule Creek State Prison
County	Amador

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.


 Estevan Fregeau
 Correctional Plant Supervisor
 Mule Creek State Prison

As per the November 29, 2021 13383 order Mule Creek State Prison is to make notification of discharging of Stormwater into Mule Creek to the Central Valley Water Board.

MCSP has discharged and samples taken from MCSP 1, MCSP4, MCSP5, MCSP6 and MCIC1 locations on March 28, 2022



MCSP 1



MCSP 4



MCSP 5



MCSP 6



MCIC 1

Estevan "Esto" Fregeau
Correctional Plant Supervisor
Mule Creek State Prison
209-274-4911 EX6773
Cell-(209)-790-9498

EXHIBIT 18

DIVISION OF ADULT INSTITUTIONS**MULE CREEK STATE PRISON**

4001 Highway 104
P.O. Box 409099
Ione, CA, 95640



April 11, 2022

State of California
Water Resources Control Board
Central Valley Regional Water Quality Control Board
Sacramento Office
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Attn: Elizabeth Lee
Senior Water Resources Control Engineer

Title and Date of Report	April 11 th 2022- Mule Creek Discharge Notification
Contact	Elizabeth Lee (916) 464-4786
Regulatory Program	Municipal Storm Water
Regulated Party Name (Discharger)	CA Dept of Corrections & Rehabilitation
Facility Name	CDCR - Mule Creek State Prison WWTP
County	Amador

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A handwritten signature in blue ink, appearing to read "A Orta".

Anthony Orta
Correctional Plant Manager
Mule Creek State Prison

04/11/2022 10:23



04/11/2022 10:55



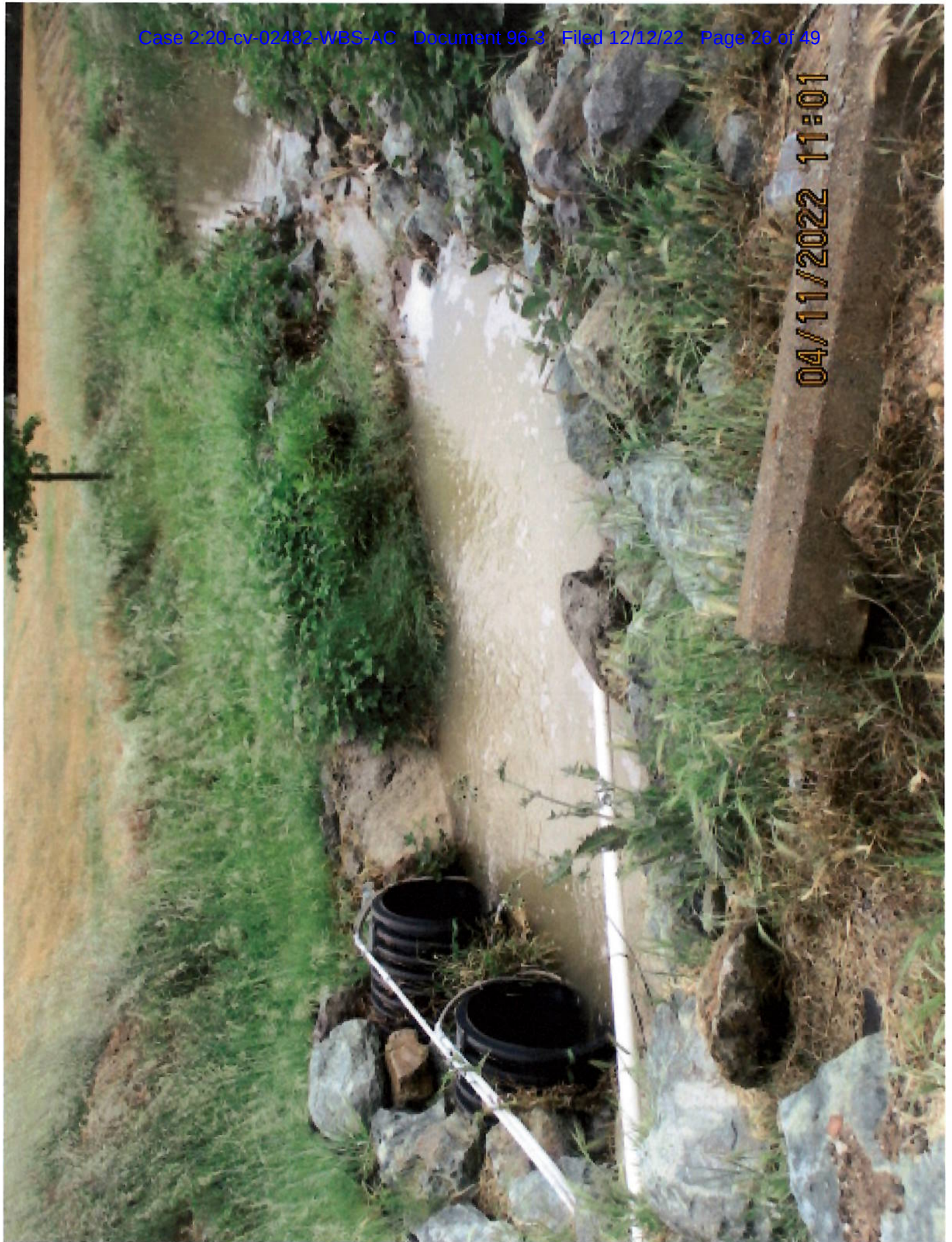
04/11/2022 10:59



04/11/2022 10:34



04/11/2022 11:01



04/11/2022 10:51



04/11/2022 11:00



04/11/2022 10:57



04/11/2022 10:54



EXHIBIT 19

Fregeau, Estevan@CDCR

From: Fregeau, Estevan@CDCR
Sent: Tuesday, September 20, 2022 12:21 PM
To: WB-RB5S-CentralValleySacramento; Lee, Elizabeth@Waterboards; Larabee, Gregor@CDCR; Perri, Laurie@CDCR; Orta, Anthony@CDCR; Stark, Anthony@CDCR; Wilson, Anthony@CDCR
Cc: Hudgens, Christofer@CDCR
Subject: MCSP Discharge Notification for calibration
Attachments: discharge notification 9 20 22.pdf; 8.31.2022 Sampling Variance Response_FINAL.pdf; mcsp_13383_order.pdf

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

GAVIN NEWSOM, GOVERNOR

OFFICE OF THE SECRETARY
 PO Box 942893
 Sacramento, CA 94283-0031



September 20, 2022

State of California
 Water Resources Control Board
 Central Valley Regional Water Quality Control Board
 Sacramento Office
 11020 Sun Center Drive, #200
 Rancho Cordova, CA 95670-6114

Attn: Elizabeth Lee
 Senior Water Resources Control Engineer

Title and Date of Report	September 20, 2022
Contact	Elizabeth Lee (916) 464 4786
Regulatory Program	Municipal Storm Water
Unit	
Regulated Party Name (Discharger)	CA Dept of Corrections & Rehabilitation
Facility Name	CDCR - Mule Creek State Prison WWTP
County	Amador

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Anthony Orta
 Correctional Plant Manager
 Mule Creek State Prison

As per the November 29, 2021 13383 order and the Sampling and Reporting Variance dated August 31, 2022 Mule Creek State Prison is to make notification of discharging of de-chlorinated water into Mule Creek to the Central Valley Water Board.

MCSP has discharged from MCSP 2, and MCSP3, on September 19th, 2022 to calibrate the newly installed Permanent Monitoring Structures.

MCSP-2 Flow started at 12:00pm and ended 12:45pm. A release of 4000 gallons of de-chlorinated water was made into Mule Creek for meter calibration

MCSP-3 Flow started at 1:00pm and ended 2:00pm. A release of 4700 gallons of de-chlorinated water was made into Mule Creek for meter calibration.

Additional notes include attached photos of the flow, calibration of the Permanent Monitoring Structures at MCSP-2 and MCSP-3 was successfully performed by SHN at this time.



MCSP2



MCSP2



MCSP 2



MCSP 3



MCSP 3



MCSP 3

Estevan "Esto" Fregeau

Correctional Plant Supervisor

Mule Creek State Prison

209-274-4911 EX6773

Cell-(209)-790-9498

EXHIBIT 20

OFFICE OF THE SECRETARY

PO Box 942883
Sacramento, CA 94283-0001



November 2, 2022

State of California
Water Resources Control Board
Central Valley Regional Water Quality Control Board
Sacramento Office
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Attn: Elizabeth Lee
Senior Water Resources Control Engineer

Title and Date of Report	Discharge Notification November 2, 2022,
Contact	Elizabeth Lee (916) 464 4786
Regulatory Program	Municipal Storm Water
Unit	
Regulated Party Name (Discharger)	CA Dept of Corrections & Rehabilitation
Facility Name	CDCR - Mule Creek State Prison WWTP
County	Amador

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A handwritten signature in black ink, appearing to read "A. Orta".

Anthony Orta
Correctional Plant Manager
Mule Creek State Prison

EXHIBIT 21



Central Valley Regional Water Quality Control Board

3 November 2022

Patrick Covello, Warden
Mule Creek State Prison
4001 Highway 104
Ione, CA 95641
Via E-mail: Patrick.Covello@cdcr.ca.gov

CLARIFICATION TO THE COMMENT LETTER DATED 11 FEBRUARY 2022; CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION – MULE CREEK STATE PRISON; WDID#:5S03M2000307, AMADOR COUNTY

The California Department of Corrections and Rehabilitation (CDCR) is enrolled as a Non-Traditional in the *National Pollutant Discharge Elimination System Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4)*, Water Quality Order 2013-0001-DWQ, as amended (Small MS4 General Permit) for Mule Creek State Prison (MCSP). Additionally, CDCR is subject to the 30 November 2021 Revised Water Code section 13383 Order to Monitor Discharges to Surface Water (13383 Order) requirements for MCSP.

On 28 July 2022, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received an e-mail from the California Department of Corrections and Rehabilitation (CDCR) requesting clarification on two (2) comments from Central Valley Water Board staff's 2 February 2022 comment letter (Letter) that reviewed the Phase II MS4 Annual Reports and Quarterly Monitoring Reports required by the 13383 Order. Staff is providing the clarification requested for Items #1 and #4 in the Letter.

Clarification #1: Does the December 2021 Mule Creek State Prison Non-Traditional MS4 Compliance Plan (Plan) fulfill the requirement of the Program Effectiveness Assessment and Improvement Plan (PEAIP)?

Response: Central Valley Water Board staff concludes that the December 2021 Mule Creek State Prison Non-Traditional MS4 Compliance Plan (Plan) section F.5.h complies with F.5.h.1 – Program Effectiveness and Improvement Plan requirement in the Small MS4 General Permit.

Clarification #2: Does the 13 May 2021 Non-Stormwater Discharge (NSWD) Elimination Plan satisfy Item #4 in the Letter which states, "*Include best management practices (BMPs) to be implemented to address receiving water exceedances and a*

schedule of the BMP implementation. BMPs which can immediately address the exceedance must be proposed and immediately implemented”?

Response: The NSWDE Elimination Plan does not satisfy Item #4 in the Letter. As transmitted to CDCR via attachment titled “13383 Order Compliance Review, dated 24 January 2022” in the 11 February 2022 e-mail, under Receiving Water Monitoring Requirements, there were exceedances in the receiving water for aluminum on 2 February 2021 and 15 March 2021, and zinc on 27 January 2021 and 15 March 2021 reported in the 2021 Quarter 1 Monitoring Report.

The Small MS4 General Permit under Provision D – Receiving Water Limitations states the following:

Discharges shall not cause or contribute to an exceedance of water quality standards contained in a Statewide Water Quality Control Plan, the California Toxic Rule (CTR), or in the applicable Regional Water Board Basin Plan.

The Permittee shall comply with Receiving Water Limitations through timely implementation of control measures/BMPs and other actions to reduce pollutants in the discharges and other requirements of this Order including any modifications. The storm water program shall be designed to achieve compliance with Receiving Water Limitations. If exceedance(s) of water quality objectives or water quality standards persist notwithstanding implementation of other storm water program requirements of this Order, the Permittee shall assure compliance with Receiving Water Limitations by complying with the following procedure:

- 1. Upon determination by either the Permittee or the Regional Water Board that MS4 discharges are causing or contributing to an exceedance of an applicable water quality standard, the Permittee shall promptly notify and thereafter submit a report to the Regional Water Board that describes BMPs that are currently being implemented and additional BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the exceedance of water quality standards. The report shall include an implementation schedule. The Regional Board may require modifications to the report;*
- 2. Submit any modifications to the report required by the Regional Water Board within 30 days of notification;*
- 3. Implement the actions specified in the report in accordance with the approved schedule;*

4. *So long as the Permittee has complied with the procedure set forth above and is implementing the actions, the Permittee does not have to repeat the same procedure for continuing or recurring exceedances of the same receiving water limitations unless directed by the State Water Board or Regional Water Board to develop additional BMPs.*

[...]

An implicit requirement in the language above is to investigate the source of the exceedances in order to implement the appropriate BMPs to prevent or reduce the pollutants causing or contributing to the exceedances.

The NSWDC Elimination Plan identifies BMPs for irrigation water and does not address BMPs specific to aluminum and zinc. In addition, the 2022 Quarter 1 Monitoring Report identified exceedances of aluminum, iron, and manganese above water quality objectives. Both the 2021 and 2022 Quarter 1 Monitoring Reports reported no irrigation during the quarter when the exceedances occurred. As such, the NSWDC Elimination Plan does not satisfy the requirement to investigate and mitigate the receiving water exceedances because it does not appear that irrigation water is the sole source of those exceedance. To comply with the Receiving Water Limitations in the Small MS4 General Permit, CDCR must modify the NSWDC Elimination Plan to identify the source(s) of the aluminum, iron, manganese, and zinc and describe the BMPs that are being implemented to eliminate the exceedances from those sources and what additional BMPs will be implemented. An implementation schedule must also be included in the NSWDC Elimination Plan. The NSWDC Elimination Plan must be submitted into the Stormwater Multiple Application & Record Tracking System (SMARTS) database **by 17 February 2023.**

Additionally, based on staff review of the 2021 Quarter 4 and 2022 Quarter 1 Monitoring Reports, there is a constant volume of flow diverted from the MS4 to the MCSP wastewater treatment plant year-round. The amount does not appear to be attributed to irrigation or rainfall. To satisfy the Receiving Water Limitations above, CDCR must include in the modified NSWDC Elimination Plan a strategy and schedule of implementation to eliminate the typically diverted constant volume of flow as a source of aluminum, iron, manganese, and zinc when that flow is discharging to Mule Creek.

Elizabeth M. Lee
Digitally signed by Elizabeth M. Lee
Date: 2022.11.03 09:02:09
07'00'
Water Boards

Elizabeth M. Lee, P.E.
Senior Water Resource Control Engineer - Specialist
Municipal Storm Water Program

Enclosures: 1. E-mail from Estevan Fregeau, dated 28 July 2022
2. Comments to the Phase II MS4 Annual Reports and 13383 Order
Quarterly Monitoring Reports; Mule Creek State Prison;
WDID#5S03M2000307, Amador County, dated 11 February 2022
3. 13383 Order Compliance Review, dated 24 January 2022

cc: [via e-mail]
Grant Scavello, USEPA, San Francisco (Scavello.Grant@epa.gov)
John Tinger, USEPA, San Francisco (Tinger.John@epa.gov)
Nickolaus Knight, State Water Resources Control Board, Sacramento
JJ Baum, Central Valley Regional Water Quality Control Board, Rancho Cordova
Bryan Smith, Central Valley Regional Water Quality Control Board, Redding
Kari Holmes, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Rob Busby, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Howard Hold, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Scott Armstrong, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Xuan Luo, Central Valley Regional Water Quality Control Board, Rancho Cordova
Kenny Croyle, Central Valley Regional Water Quality Control Board, Rancho
Cordova
Lixin Fu, Central Valley Regional Water Quality Control Board, Rancho Cordova
Mohammad Farhad, Central Valley Regional Water Quality Control Board,
Rancho Cordova
Gregor Larabee, California Department of Corrections, Sacramento
(Gregor.Larabee@cdcr.ca.gov)
Adam Wolfe, California Department of Corrections, Sacramento
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Terry Bettencourt, California Department of Corrections, Sacramento
(Miles.Bettencourt@cdcr.ca.gov)
Eric Papathakis, California Department of Corrections, Sacramento
(Eric.Papathakis@cdcr.ca.gov)
Dean Borg, California Department of Corrections, Sacramento
(Dean.Borg@cdcr.ca.gov)
Laurie Perry, California Department of Corrections (Laurie.Perry@cdcr.ca.gov)
Anthony Orta, California Department of Corrections and Rehabilitation MCSP,
Ione (Anthony.Orta@cdcr.ca.gov)
Anthony Stark, California Department of Corrections and Rehabilitation MCSP,
Ione (Anthony.Stark@cdcr.ca.gov)
Estevan Fregeau, California Department of Corrections and Rehabilitation MCSP,
Ione (Estevan.Fregeau@cdcr.ca.gov)
Michelle Opalenik, Amador County Department of Environmental Health, Jackson
(mopalenik@amadorgov.org)

Rodney Plamondon, City of Ione, Ione (RPlamondon@ione-ca.com)
Dan Epperson, City of Ione, Ione (DEpperson@ione-ca.com)
Dominic Atlan, City of Ione, Ione (DAtlan@ione-ca.com)
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Diane Wratten, City of Ione, Ione (DWratten@ione-ca.com)
Michael Rock, City of Ione, Ione (MRock@ione-ca.com)
Amy Gedney, ARSA, City of Sutter Creek, Sutter Creek
(AGedney@cityofsuttercreek.org)
Jennifer Buckman, Bartkiewicz, Kronick & Shanahan, APC, Sacramento
(Jennifer.Buck@wildlife.ca.gov)
Sally Baron, Rancho Cordova (hardcorecourser@gmail.com)
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Andrew Packard, The Law Offices of Andrew L. Packard, Petaluma
(andrew@packardlawoffices.com)
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Erica Maharg, Aqua Terra Aeris Law group, Oakland (eam@atalawgroup.com)
Will Carlon, The Law Office of Andrew L. Packard, Petaluma
(wncarlon@packardlawoffices.com)
Jack Mitchell, Ledger Dispatch (jmitchell@ledger.news)
Gene Tanaka, Best Best & Kreiger, Sacramento (gene.tanaka@bbklaw.com)
Shawn Hagerty, Best Best & Kreiger, Sacramento (shawn.hagerty@bbklaw.com)
Rebecca Andrews, Best Best & Kreiger, Sacramento
(rebecca.andrews@bbklaw.com)
Greg Morris (greg8355@gmail.com)
Mike Forget, SNH Engineers (mfoget@snh-engr.com)
Rick Ferriera, Amador Water Agency (RFerriera@amadorwater.org)

Enclosure 1

From: [Fregeau, Estevan@CDCR](mailto:Fregeau.Estevan@CDCR)
To: [Lee, Elizabeth@Waterboards](mailto:Lee.Elizabeth@Waterboards); [Young, Stephanie@Waterboards](mailto:Young.Stephanie@Waterboards)
Cc: [Orta, Anthony@CDCR](mailto:Orta.Anthony@CDCR); [Marshall, James@Waterboards](mailto:Marshall.James@Waterboards)
Subject: RE: comment letter clarification
Date: Thursday, July 28, 2022 2:55:06 PM
Attachments: [Revised Non-Storm Water Discharge Elimination.pdf](#)
[MCSP-MS4CompliancePlan.pdf](#)

EXTERNAL:

Elizabeth,

I am looking for clarification regarding the comment letter dated 11 February 2022 which is attached. Can you provide clarification on Item #1 and #4 of the following Mule Creek is to provide. Mule Creek submitted a Revised Non-Storm Water Runoff Elimination Plan on May 13, 2022, MCSP feel that this Plan answer #4.

Also MCSP has MS4 Compliance plan, would this plan be the same as a PEAIIP?

Thank you

Estevan “Esto” Fregeau
Correctional Plant Supervisor
Mule Creek State Prison
209-274-4911
EX6773 Cell-(209)-
790-9498

Enclosure 2



Central Valley Regional Water Quality Control Board

11 February 2022

Patrick Covello, Warden
Mule Creek State Prison
P.O. Box 409099
Ione, CA 95640
Via E-mail: Patrick.Covello@cdcr.gov

**COMMENTS TO THE PHASE II MS4 ANNUAL REPORTS AND 13383 ORDER
QUARTERLY MONITORING REPORTS; MULE CREEK STATE PRISON,
WDID#: 5S03M2000307, AMADOR COUNTY**

Thank you for meeting with Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff on 24 January 2022, to discuss staff's compliance review with the *National Pollutant Discharge Elimination System General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4)*, Water Quality Order 2013-0001-DWQ, as amended (Small MS4 General Permit) and 30 November 2021 Water Code section 13383 Order to Monitor Discharges to Surface Water (13383 Order) requirements for Mule Creek State Prison.

We have summarized our comments in the documents attached via e-mail for your review:

1. Mule Creek State Prison Phase II MS4 Stormwater Compliance Review and Discussion Power Point.
2. MCSP_Stormwater Requirements.PDF – provides a summary of comments on the submittals to date.

Based on these comments and our discussion, please provide the following:

1. Submit a Program Effectiveness Assessment and Improvement Plan (PEAIP) by **30 June 2022 into SMARTS**.
2. Submit an updated outfall map with the 2022 Quarter 2 monitoring report (i.e., by **1 April 2022**) identifying the discharge location from the Mule Creek Infill Complex east of Mule Creek. Per the MS4 Permit, Section F.5.d.2, field sampling shall be conducted at this outfall if it is flowing or ponding and it has been more than 72-hours since the last rain event.
3. Make changes that address the comments provided in the MCSP_Stormwater Requirements.xls document starting with the 2022 Quarter 2 monitoring report.

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Patrick Covello
Mule Creek State Prison

- 2 -

11 February 2022

4. Include best management practices (BMP) to be implemented to address the receiving water exceedances and a schedule of the BMP implementation. BMPs which can immediately address the exceedances must be proposed and immediately implemented.
5. For the 2021-2022 Annual Report, due on 15 October 2022, please include an attachment that summarizes the past year's activities by each program element. The summary shall also address the relationship between the program element activities and the PEAIP.

If you have any questions about our comments, concerns about due dates, or need additional information, please contact me at Elizabeth.Lee@waterboards.ca.gov.

Elizabeth M. Lee  Digitally signed by Elizabeth M. Lee
Date: 2022.02.11 09:56:19 -08'00'

Elizabeth M. Lee, P.E.
Senior Water Resource Control Engineer, Specialist
Municipal Storm Water Program

Enclosures: [via E-mail]
Power Point Presentation - Mule Creek State Prison Phase II MS4
Stormwater Compliance Review and Discussion, January 24, 2022
MS4 Compliance Review Excel Spreadsheet (MCSP_Stormwater
Requirements.pdf), dated 24 January 2022

cc: next page

Patrick Covello
Mule Creek State Prison

- 4 -

11 February 2022

Thomas Reed, City of Lone, lone (TReed@ione-ca.com)
Dan Epperson, City of Lone, lone (DEpperson@ione-ca.com)
Dominic Atian, City of Lone, lone (DAtian@ione-ca.com)
Stacy Rhoades, City of Lone, lone (Rhoades@ione-ca.com)
Lori McGraw, City of Lone, lone (L.McGraw@ione-ca.com)
Diane Wratten, City of Lone, lone (DWratten@ione-ca.com)
Michael Rock, City of Lone (MRock@ione-ca.com)
Amy Gedney, ARSA, City of Sutter Creek, Sutter Creek
(AGedney@cityofsuttercreek.org)
Jennifer Buckman, Bartkiewicz, Kronick & Shanahan, APC, Sacramento
(Jennifer.Buck@wildlife.ca.gov)
Sally Baron, Rancho Cordova (hardcorecourser@gmail.com)
Virginia Silva, lone
David Anderson, Mokelumne Hill (dcanders58@yahoo.com)
Jim Scully, lone (j.scully22@gmail.com)
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13383 Order Compliance Review

24 January 2022

MS4 Outfall Monitoring Requirements IV	MS Outfall Monitoring	The Permittee shall monitor discharges from the MS4 at MCSPS and MCSPE until the Permittee notifies Regional board staff that the flow monitoring structures are operational at MCSP2 and MCSP3 for parameters listed in Table B at the sampling locations identified in Table A of the Order.	1/event	SMARTS (quarterly reports)	1 May, 1 August, 1 November, and 1 February annually.	2021 Quarters 1 - 3 Monitoring Reports review completed.	1. 2/12/2021 sampling has no data for MCSPS and MCSPE. Explanation of missing sampling data must be provided. 2. Table 1-1 is missing required data for total discharge, duration of discharge, rainfall in previous 24-hours, dissolved oxygen, pH, temperature, and turbidity. An explanation must be provided for the missing monitoring information. 3. E. coli must be reported in CFU/mL. 4. Total coliform is not required. 5. Clarification needed of what junction vault pumps #2,3,5, and 6 represent in Table 1. Do they correspond to the sampling locations in Table A of the Order? 5. Table 2 summarizes total monthly rainfall instead of the required 24-hour daily rainfall when sampling (Table B of the Order). 6. Table 4 does not clearly identify what discharges the flowmeters are measuring and for which compliance point and the discharges from MCSPS and MCSPE must be shown as sampling event measurements and not summarized as monthly discharges. 7. Daily rainfall and discharges from MCSPS and MCSPE must be reported in tabular format instead of in a graph. 8. Suggest showing irrigation and rainfall in one graph for each location. 9. Figure 1 must be revised to identify MCSPS and MCSPE as compliance points and not MCSP2 and MCSP3 and MCSP1 must be identified.	1. Table 1-1 is missing required data for total discharge, duration of discharge, rainfall in previous 24-hours, dissolved oxygen, pH, temperature, and turbidity. An explanation must be provided for the missing monitoring information. 2. E. coli must be reported in CFU/mL. 3. Total coliform is not required. 4. Clarification needed of what junction vault pumps #2,3,5, and 6 represent in Table 1. Do they correspond to the sampling locations in Table A of the Order? 5. Table 2 is labeled as a summary of the rainfall for the quarter but is actually the irrigation flows summary. The report must be corrected to reflect that. 6. Table 3 does not clearly identify what discharges the flowmeters are measuring and for which compliance point and the discharges from MCSPS and MCSPE must be shown as sampling event measurements and not summarized as monthly discharges. 7. 2nd Quarter 2021 Flowmeters at MCSPS and MCSPE vs. Daily irrigation appears to indicate the over irrigation is causing non-stormwater discharges from MCSPS and MCSPE. 8. Figure 1 must be revised to identify MCSPS and MCSPE as compliance points and not MCSP2 and MCSP3 and MCSP1 must be identified.	1. Clarification needed of what junction vault pumps #2,3,5, and 6 represent in Table 1. Do they correspond to the sampling locations in Table A of the Order? 2. Table 2 summarizes total monthly rainfall instead of the required 24-hour daily rainfall when sampling (Table B of the Order). 3. Table 4 does not clearly identify what discharges the flowmeters are measuring and for which compliance point and the discharges from MCSPS and MCSPE must be shown as sampling event measurements and not summarized as monthly discharges. 4. Daily rainfall and discharges from MCSPS and MCSPE must be reported in tabular format instead of in a graph. 5. Suggest showing irrigation and rainfall in one graph for each location. 6. Figure 1 is referenced under Volume Diverted to the WWTP but not included in the report.
Receiving Water Monitoring Requirements V	Receiving Water Monitoring	The Permittee shall monitor the receiving water when discharging through the MS4 to Mule Creek at MCSP1 and MCSP4 for parameters identified in Table C at the sampling locations identified in Table A of the Order. The receiving water monitoring shall be collected concurrently with MS4 outfall monitoring (i.e., within 4 hours). If no upstream flow (i.e., steady and continuous) during the monitoring event, receiving water monitoring is not required and must be noted in the Quarterly Monitoring Report for that event.	1/event	SMARTS (quarterly reports)	1 May, 1 August, 1 November, and 1 February annually.	2021 Quarters 1 - 3 Monitoring Reports review completed.	1. 1/27/2021 sampling event has no data for monitoring location MCSP1. An explanation for the missing sampling data must be provided. 2. Table 1-1 is missing receiving water data for dissolved oxygen, pH, temperature, and turbidity. An explanation must be provided for the missing monitoring information. 3. E. coli must be reported in CFU/mL. 4. Total coliform is not required. 5. 2/2/21 aluminum concentration (5,640 ug/L) in the downstream receiving water exceeded the 2018 National Ambient Water Quality Criteria (NAWQC) of 2,800 ug/L (calculated using dissolved organic carbon and hardness in the downstream receiving water on the date for each aluminum sample and median pH in downstream receiving water of 7.54 (3/23/18 to 3/19/21 excluding 10/4/18 outlier of 5.75 pH). Only acute criterion is considered. 6. 3/15/2021 aluminum concentration (3,740 ug/L) in the downstream receiving water exceeded the 2018 National Ambient Water Quality Criteria (NAWQC) of 3,200 ug/L for aluminum in fresh water. 7. 1/27/21 zinc concentration of 186 ug/L exceeds the acute (1-hour) CTR hardness-dependant criteria (76.01 ug/L) for the protection of freshwater aquatic life for zinc using the downstream receiving water hardness for each sample. 8. 3/15/21 zinc concentration of 191 ug/L exceeds the zinc acute criterion of 150.16 ug/L. 9. BMPs addressing the exceedances must be identified and updated.	1. Table 1-1 is missing receiving water data for dissolved oxygen, pH, temperature, and turbidity. An explanation must be provided for the missing monitoring information. 2. E. coli must be reported in CFU/mL. 3. Total coliform is not required.	
Water Column Toxicity Testing Requirements VII	Water Column Toxicity Monitoring (Acute)	The Permittee shall conduct acute toxicity testing to determine whether the MS4 discharge is contributing to acute toxicity to Mule Creek.	2x per year (Jan-Jun and Jul-Dec)	SMARTS (quarterly reports & annual report- Oct. 15)	1 May, 1 August, 1 November, and 1 February annually & 15 October	2021 Quarters 1 - 3 Monitoring Reports review completed.	1. 3/15/2021 sampling event conducted at MCSP2. An explanation for using MCSP2 instead of MCSP1 and MCSP4 must be provided. Note that any change in sampling location must be approved by the Executive Officer per II.B of the Order.		